

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GIDEON RAPAPORT,

Plaintiff,

- vs. -

ABIGAIL FINKELMAN,

Defendant.

No.: 1:25-cv-07294-UA

**AFFIRMATION OF MAX RODRIGUEZ, ESQ., IN SUPPORT OF
DEFENDANT ABIGAIL FINKELMAN'S MOTION
FOR TEMPORARY RESTRAINING ORDER AND/OR
PRELIMINARY INJUNCTION IMPOSING
FILING INJUNCTION ON PLAINTIFF GIDEON RAPAPORT**

MAX RODRIGUEZ, pursuant to 28 U.S.C. § 1746(2), declares as follows:

1. I am a Principal in the law firm Law Office of Max Rodriguez PLLC, counsel for defendant Abigail Finkelman in the above-captioned action. I submit this affirmation of service in support of Ms. Finkelman's Motion for a temporary restraining order and/or preliminary injunction.
2. Attached as **Exhibit A** is a true and correct copy of a complaint, dated September 1, 2025, and docketed September 2, 2025, in *Rapaport v. Finkelman*, No. 1:25-cv-07294-UA (S.D.N.Y.).
3. Attached as **Exhibit B** is a true and correct copy of an email, dated September 5, 2025, from myself to Gideon Rapaport disclosing Ms. Finkelman's intention to file the motion.

4. Attached as **Exhibit C** is a true and correct copy of an email from myself to this Court, copying Plaintiff, per this Court's individual rules, enclosing my filing at ECF no. 55 and requesting a hearing on the motion.

5. Attached as **Exhibit D** is a true and correct copy of an opinion and order by this Court in this case, dated August 29, 2025, docketed at ECF no. 52, granting Ms. Finkelman's motion to dismiss for failure to state a claim with prejudice.

6. Attached as **Exhibit E** is a true and correct copy of a letter filed in this case by me, dated August 29, 2025, docketed at ECF no. 53.

7. Attached as **Exhibit F** is a true and correct copy of an order and report and recommendation in *Goodman v. Bouzy et al.*, No. 1:21-cv-10878-AT-HJR (S.D.N.Y.), dated May 8, 2023, docketed at ECF no. 203 in that case.

8. Attached as **Exhibit G** is a true and correct copy of an order adopting report and recommendation in *Goodman*, dated June 28, 2023, docketed at ECF no. 238 in that case.

9. Attached as **Exhibit H** is a true and correct copy of an email from myself to Gideon Rapaport, dated September 4, 2025, enclosing materials related to the forthcoming renewed motion for sanctions.

10. Attached as **Exhibit I** is a true and correct copy of a letter, attached to Exhibit H and dated September 4, 2025.

11. Attached as **Exhibit J** is a true and correct copy of a draft memorandum of law in support of the forthcoming renewed motion for sanctions, attached to Exhibit H.

12. Attached as **Exhibit K** is a true and correct copy of a draft notice of renewed motion for sanctions, attached to Exhibit H.

13. Attached as **Exhibit L** is a true and correct copy of a letter filed by me in this case, dated September 5, 2025, docketed at ECF no. 55.

14. Plaintiff never responded to my email at Exhibit B, nor in any other fashion, to provide his position concerning the forthcoming motion or the scheduling of a hearing concerning the same.

15. For the reasons explained in the memorandum of law in support of the motion, I respectfully submit that Ms. Finkelman will suffer irreparable harm if the motion is not granted that outweighs any harm to Plaintiff should the motion be granted.

16. For the reasons herein, in the supporting exhibits, and the memorandum of law, I respectfully submit that the motion should be granted as drafted in the proposed order, or otherwise as the Court deems just and proper.

Dated: September 5, 2025
New York, New York

LAW OFFICE OF MAX RODRIGUEZ PLLC

By: /s/ Max Rodriguez

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